

SB 206 -1 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

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Meeting Dates: 3/18, 4/1

WHAT THE MEASURE DOES:

After a defendant has been found guilty except for insanity, if a party intends to request conditional release, requires the party to notify the opposing party, the court, and the Psychiatric Review Board (the board) of the request. Upon receipt of request, directs court to order that a community mental health program director or designee consult with the defendant and provide to the court and the board a report of the consultation findings. Directs the board to produce a recommended conditional release plan, and modifies considerations for the court in determining whether to grant the request for conditional release. If the court grants the request, requires the court to provide a copy of the order to the board within one judicial day. Requires the board hold a review hearing within 90 days for a person conditionally released.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 After a defendant has been found guilty except for insanity, if a party intends to request conditional release, requires the party to timely notify the opposing party, the court, and the Psychiatric Review Board (the board) of the request.

Upon receipt of request, if the most serious charge is a Class C felony, directs the court to order that a local mental health program designated by the board consult with the defendant. If the most serious charge is a Class A or B felony, provides discretion to the court to order that a local mental health program designated by the board consult with the defendant.

Requires program director to report in findings whether the person can be adequately controlled with supervision and treatment if conditionally released, and whether the necessary treatment and supervision are available. Modifies considerations for the court in determining whether to grant the request for conditional release.

If the court grants the request, requires the court to provide a copy of the order to the board within one judicial day. Requires the board hold a review hearing within 90 days for a person conditionally released.

BACKGROUND: